

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND (Providence)

In Re: Thomas Raymond Lamoureux	Case No. 1:24-bk-10549 Chapter 7
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MEMORANDUM OF LAW IN SUPPORT OF MOTION OF MOVANT FOR RELIEF FROM
THE AUTOMATIC STAY

INTRODUCTION:

The facts of this case and motion are more specifically spelled out in the Motion for Relief from Automatic Stay filed herewith to which the Court is referred. In the Motion, Deutsche Bank National Trust Company, as Trustee for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2003-W6 ("Movant") requests relief from stay in order to pursue its remedies under state law to liquidate its secured claim against the property of the estate of the Thomas Raymond Lamoureux (hereinafter the "Debtor") by foreclosure of its mortgage. The Debtor has defaulted on the mortgage payments both pre and post-petition, and thus Movant is not being adequately protected.

ARGUMENT:

It has been determined that cause does exist for relief from stay when debtor has defaulted in payments to a secured creditor. SEE First Federal Savings and Loan Association v. Whitebread, 18 B. R. (bkrtcy D.C. Minn, 1982).

CONCLUSION:

For the foregoing reasons, Movant respectfully requests that this Court enter an order lifting the automatic stay in effect in order to permit Movant to proceed to exercise its rights and remedies under state law and under a certain note and mortgage, including but not limited to foreclosure.

Date: October 16, 2024

Respectfully submitted,
Deutsche Bank National Trust Company, as Trustee for
Argent Securities Inc., Asset-Backed Pass-Through
Certificates, Series 2003-W6
By its attorney,

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